

**BOARD OF ZONING APPEALS  
MINUTES**

**November 16, 2004**

The regular meeting of the Board of Zoning Appeals of the City of Wichita, Kansas was held at 1:30 p.m., on November 16, 2004, in the Planning Department Conference Room, Tenth Floor of City Hall, 455 N. Main, Wichita, Kansas.

The following Board members were in attendance:

JAMES RUANE, DWIGHT GREENLEE, ERMA MARKHAM, present.

BICKLEY FOSTER, RANDY PHILLIPS, JOHN ROGERS, JAMES SKELTON, absent.

SHARON DICKGRAFE – Law Department present.

HERB SHANER - Office of Central Inspection absent.

The following Planning Department staff members were present:

DALE MILLER.

SCOTT KNEBEL, Secretary.

ROSE SIMMERING, Recording Secretary.

RUANE Calls meeting to order. Will the Secretary please call role.

SIMMERING Completes task.

RUANE We have only three members here, and this attendance does not constitute a quorum. Are we expecting anyone else?

KNEBEL Not at this time. We begged and pleaded. Basically the Board's option since you can't conduct business, is to determine a date and time for rescheduling.

RUANE Let's convene the meeting and do what we can do.

DICKGRAFE You can't convene a meeting without a quorum. There is no business that the Board can transact without 4 members.

RUANE I would like to start the record and take comments from those in the audience to see how we might minimize any further inconvenience and learn whether or not those BZA Board members that are not here today provided any dates that might be available.

KNEBEL We didn't get any dates from them. We expected members until late this morning.

MILLER I would suggest is that you determine whether the three of the members that are present here whether you have an interest in trying to have a special meeting that would occur before your next regularly scheduled meeting. If you do, then try and figure out what date that would be, and if not, then just leave it for the next scheduled meeting.

RUANE I would like to hear from the people that are in the audience, as to what rescheduling will do to their scheduling.

DICKGRAFE I would note the next meeting is December 14, 2004, so it is earlier than when the Board normally meets because of the holiday.

RUANE There are two items that are scheduled for today's meeting, which I know that Kurt, Joe and Patrick Hughes and Mr. Sherwood are here on one item. There are neighbors here on the second item.

KNEBEL The applicant is not present on the second case.

PATRICK HUGHES I am here on behalf of Tegra Healthcare Properties, and we are the Appellant in the matter that is here before you today. Our preference would be to have this matter considered as soon as it is possible for the Board to do so if a special meeting is possible, but I don't know that hearing it December 14, 2004, is not something that we can't live with. I believe I would be able to accommodate the December 14, 2004, meeting. Next week will not work for our schedule.

MILLER We were thinking that it would be an afternoon meeting, but not on the normal scheduled date.

HUGHES We can accommodate that other than next week.

RUANE What about the notice of public hearing period if we set this earlier?

MILLER You would have to republish. The reason we would for these items because you would announce it at this meeting and presumably those interested parties would be present.

KNEBEL We wouldn't be able to avoid two meetings in December because we already have a case set for December 14<sup>th</sup>.

RUANE Kurt or Joe what is your preference?

LANG Anytime, we will be available on the 14<sup>th</sup>.

SHERWOOD December 14<sup>th</sup> would be good.

RUANE The second item on the agenda, there are people here for that.

CHARLOTTE HIMES This would mean delay in the contract closing.

MARKHAM We will be able to hear these items and any additional items on the next meeting.

**RUANE moved MARKHAM seconded to reschedule these item to December 14<sup>th</sup> meeting.**

**Carried 3-0.**

**MEETING ADJOURNED at 1:47 p.m.**